



04-26-05

ERW B ✓

PATENT  
450100-02880.2

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant : Yujiro ITO et al.

Continuation of  
Serial No. : 09/731,133

For : AUTO-FOCUS APPARATUS, FOCUS ADJUSTING METHOD,  
IMAGE CAPTURING APPARATUS AND IMAGE  
CAPTURING METHOD

Filed : Together Herewith

745 Fifth Avenue  
New York, New York 10151  
Tel. (212) 588-0800

**EXPRESS MAIL**

Mailing Label Number: **EV196817105US**

Date of Deposit: **April 25, 2005**

I hereby certify that this paper or fee is being deposited with the  
United States Postal Service "Express Mail Post Office to  
Addressee" Service under 37 CFR 1.10 on the date indicated above  
and is addressed to: Commissioner for Patents, P.O. Box 1450,  
Alexandria, VA 22313-1450.

Barnet Shindlman  
(Typed or printed name of person mailing paper or fee)

Barnet Shindlman  
(Signature of person mailing paper or fee)

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**TERMINAL DISCLAIMER TO OBVIATE A DOUBLE PATENTING  
REJECTION (37 C.F.R. 1.321(b) and STATEMENT UNDER  
37CFR 3.73(b))**

Dear Sir:

The below-named attorney of record, authorized to act on the behalf of the  
assignee of record, hereby disclaims the terminal part of the entire patent granted on the above-

identified application which would extend beyond the expiration date of the full statutory term of

04/27/2005 WASFAW1 00000064 09731133

01 FC:1814

130.00 OP

the patent that issues from United States Application 09/731,133, the parent of the instant application (the "Parent"), and hereby agrees that any patent so granted shall be enforceable only for and during such period that the legal title to said patent shall be the same as the legal title to the Parent. This agreement is to run with any patent granted on the present application and to be binding upon the grantee, its successors or assigns. The undersigned further states that 100% of the title to the present application is in Sony Corporation, a Japanese corporation, by virtue of an assignment from the inventors. The assignment was recorded on December 6, 2000 at reel 011348, frame 0912 of the Parent.

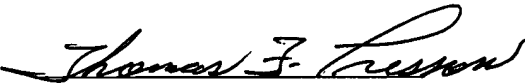
The evidentiary documents accompanying or referred to in this Terminal Disclaimer have been reviewed by the undersigned and it is certified that to the best of the undersigned's knowledge and belief, title is in the assignee seeking to take action.

The below-named attorney of record does not disclaim any terminal part of any patent granted on the above-identified application prior to the expiration date of the full statutory term of the Parent, in the event that: the Parent later expires for failure to pay a maintenance fee; is held unenforceable; is found invalid; is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. 1.321(a); or is otherwise terminated prior to expiration of its statutory term, except for the separation of legal title stated above.

Please charge any insufficient fees or credit any overpayment associated with this  
Terminal Disclaimer to Deposit Account No. 50-0320.

Respectfully submitted,

FROMMER LAWRENCE & HAUG LLP

By:   
Thomas F. Presson  
Reg. No. 41,442  
(212) 588-0800